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The Small Patent Law Group LLP
611 Olive Street, Suite 1611
St. Louis, Missouri 63101
Phone: (314) 584-4081
Fax: (314) 584-4061

ORIGINAL WILL NOT BE SENT

Date: September 5, 2006 **Pages (Including Cover Page):** 17

Client-Matter #: 20973-12

To: United States Patent and Trademark Office

Fax: 571-273-2885 **Main No.:**

From: Dean D. Small **E-mail:** dsmall@smalliplaw.com

Re: Submission of Issue Fee
SN: 09/386,613
Applicant: Tazwell L. Anderson, Jr.
Atty. Dkt. No.: 20973-12

Dear Sirs:

On July 5, 2006, we fax-filed an Issue Fee, Comment for Reasons for Allowance and eight (8) Replacement Sheets of Formal Drawings for the above referenced application. Upon checking PAIR recently, it came to our attention that the Issue Fee was not on PAIRs, nor are any of the subsequent papers on PAIRs.

We attach another copy of the Issue Fee and subsequent documents, as filed previously on July 5, 2006. We believe that no additional late fees or charges should be incurred regarding the filing of the Issue Fee.

If there are any questions, please do not hesitate to call.

Dean D. Small, Reg. No. 34,730

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Jul 05 2006 2:37PM

Last Transaction

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Jul 5	2:32PM	Fax Sent	915712732885	5:01	16	OK

*Noted
of follow up
pt. 7/5/06*

Date docketed
Response Needed
Initial Due Date
Last Due Date
Docketed by:

7-6-06
Not of ALL's *Conn O'neal*
9-20-06
Chs



The Small Patent Law Group LLP
Phone: (314) 584-4081
Fax: (314) 584-4061

**CERTIFICATE OF FACSIMILE TRANSMISSION TO THE
 UNITED STATES PATENT AND TRADEMARK OFFICE**

DATE: July 5, 2006

Mail Stop: ISSUE FEE	:	RE: ISSUE FEE
Art Unit:	:	Serial No.: 09/386,613
Fax: 571-273-2885	:	Applicant: TAZWELL L. ANDERSON JR.
From: Dean D. Small	:	
The Small Patent Law Group LLP	:	Filed: AUGUST 31, 1999
	:	Atty. Dkt. No.: 20973-12
		Title: AUDIO/VIDEO SYSTEM AND METHOD UTILIZING A HEAD MOUNTED APPARATUS WITH NOISE ATTENUATION

DOCUMENTS SUBMITTED WITH TRANSMISSION:

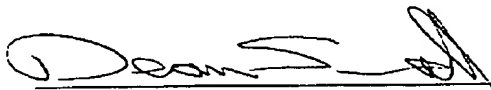
- Facsimile Transmittal (1 page)
- Credit Card Form (1 page)
- Notice of Allowance – Fee Transmittal – Part B (1 page., in duplicate)
- Comments on Statement for Reasons for Allowance (3 pgs.)
- Formal Drawing Transmittal (1 pg.)
- Eight (8) Replacement Sheets of FORMAL Drawings to Replace Informal Drawings (8 Sheets)

Total pages including cover page: 16

If all pages are not received, please contact: Kimberly Sansone at 314-584-4086

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that these papers are being facsimile transmitted to the U.S. Patent and Trademark Office, Facsimile Number 571-273-2885, on the date shown above.


 Dean D. Small, Reg. No.: 34,730

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FW



VIA FACSIMILE TRANSMISSION T-571-273-2885

PATENT
AT DOCKET NO.: 20973-12

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Tazwell L. Anderson Jr.

Serial No.: 09/386,613

Filed: August 31, 1999

For: AUDIO/VIDEO SYSTEM AND METHOD
UTILIZING A HEAD MOUNTED
APPARATUS WITH NOISE ATTENUATION

:
:
: Group No.: 2611
:
: Examiner: Vu, Ngoc K.
:
:
:

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Dear Sirs:

In response to the Notice of Allowability and Reasons for Allowance (RFA) mailed June 20, 2006, the applicant submits the following comments in response thereto.

While the prosecution history clearly evidences the following points, the applicant wants to reiterate certain aspects. The Busack reference does not permit the user to view image signals produced by a camera at the event. Instead, Busack describes a system that allows a remote person to watch, over the World Wide Web, a replication of the race on a simulated track. Busack's receivers 40 are intended only for remote use; not for use by users who are watching the event live while at the event. Busack's system includes location transmitters and receivers that cooperate to track the position of the cars. Busack's system does not include any cameras at the race. Therefore, Busack's system is incapable of transmitting image signals to the receivers 40.

For the avoidance of doubt, the distinctions over Busack, and the prior art as a whole, are independent of the mechanical aspects of the device, in that the claims are not limited to any

VIA FACSIMILE TRANSMISSION T-571-273-2885

PATENT
AT DOCKET NO.: 20973-12

particular type of portable audio/visual device shape or structure. For example, the device may be a laptop computer, a PDA, a cell phone, a Blackberry type device, and any other type of portable device. Claims 88 and 89 are not limited to head mounted displays. Only dependent claims 54 and 75 require the display to be head mounted. Also, claims 88 and 89 are not limited to any particular type of headphones. Claims 88 and 89 do not require the noise attenuation devices to be head mounted. Only dependent claims 53 and 74 require the noise attenuation devices to be head mounted. For example, the noise attenuation devices may be implemented as headphones of the type described by Urella (USP 5,138,722). As evidenced in the Office Action of August 31, 2005, the examiner interpreted the claimed noise attenuation devices to include headphones of any type including the type described by Urella. Claims 88 and 89 do not require the receiver, user interface and display to be in a common housing. Only dependent claims 44 and 65 require the receiver, user interface and display to be commonly housed in a portable hand-held unit.

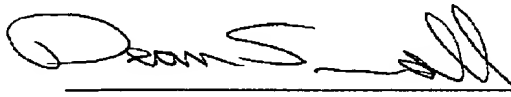
For the avoidance of doubt, the distinctions over Busack, and the prior art as a whole, are transmission independent in that the claims are not limited to any particular type of wireless transmission or any particular configure of transmitters. For example, the receiver in the device of claim 88 may receive the audio signals and image signals over common or different wireless transmissions. The receiver in the device of claim 88 may receive the audio signals and image signals from common or different transmitters. Similarly, the interface device of claim 89 may transmit the audio signals and image signals over common or different wireless transmissions. The interface device of claim 89 may transmit the audio signals and image signals from common or different transmitters. For example, the audio signals may be transmitted in the UHF frequency range, while the image signals are transmitted at a different frequency range (eg 2.5GHz). The image signals may be transmitted over common or different frequencies and may be time-division multiplexed, frequency division multiplexed, code division multiplexed and the like. It is not until dependent claims 55 and 76 that the claims require the image signals to be separately transmitted, or until dependent claims 56 and 77 that the claims require the audio signals to be separately transmitted.

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For the avoidance of doubt, the distinctions over Busack, and the prior art as a whole, the claims are not limited solely to video signals. Claims 88 and 89 recite image signals, where at least one of the image signals is defined by a camera at the event. It is not until dependent claims 86 and 87 that the image signal is required to be a video signal. For example, the image signals may be still images, pictures, frozen images, live video, video clips and the like. The camera may be a video camera, a photographic camera and the like.

Respectfully Submitted,



Dean Small, Reg. No.: 34,730
THE SMALL PATENT LAW GROUP LLP
611 Olive Street, Suite 1611
St. Louis, Missouri 63101
(314) 584-4081



PATENT
Attorney Docket No. 20973-12

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Tazwell L. Anderson Jr.	:	
Serial No.:	09/386,613	:	Group No.: 2611
Filed:	August 31, 1999	:	Examiner: Vu, Ngoc K.
For:	AUDIO/VIDEO SYSTEM AND METHOD UTILIZING A HEAD MOUNTED APPARATUS WITH NOISE ATTENUATION	:	

TRANSMITTAL OF FORMAL DRAWINGS

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed are Eight (8) Replacement sheets of Formal Drawings for the above-identified patent application. No new matter has been added.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dean Small".

Dean Small, Reg. No.: 34,730
THE SMALL PATENT LAW GROUP LLP
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St. Louis, Missouri 63101
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